

FILED
7/10/23 4:31 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: * Case No. 17-24220-GLT
*
David Wadsworth and Karen L. Wadsworth * Chapter 13
*
Debtors. *
*
***** *
*
David Wadsworth and Karen L. Wadsworth *
* Document No. 169
Movants, *
*
v. *
*
Westmoreland Community Federal Credit *
Union, now known as PHEPLE Federal *
Credit Union *
Respondents. *
*
*
*

SECOND STIPULATION AND CONSENT ORDER FOR TREATMENT OF CLAIM 9
FILED BY WESTMORELAND COMMUNITY FEDERAL CREDIT UNION (PHEPLE
FEDERAL CREDIT UNION)

AND NOW comes David Wadsworth and Karen L. Wadsworth (“Debtors”) and
Westmoreland Community Federal Credit Union, now known as PHEPLE Federal Credit Union
(“PHEPLE”) who hereby agree to the following Second Stipulation and Consent Order as to the
Plan Treatment of Claim 9 filed by PHEPLE.

WHEREAS, Debtors and PHEPLE entered into a *Stipulation and Consent Order for Treatment of Claim 9 Filed By Westmoreland Community Federal Credit Union (Pheple Federal Credit Union)* and an Order of Court was entered on November 14, 2022 approving said Stipulation (attached hereto and incorporated herein as Exhibit A is the Stipulation and Consent Order for Treatment of Claim 9 Filed By Westmoreland Community Federal Credit Union (Pheple Federal Credit Union) at Document 147); and

WHEREAS, Debtors failed to make payment to PHEPLE through the Plan as provided for in the Stipulation;

WHEREAS, at the present time, Debtors desire to pay, and Pheple Federal Credit Union agrees to accept, payment pursuant to the Stipulation directly and outside of the Plan;

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, and intending to be legally bound hereby, Debtors and PHEPLE stipulate and agree, subject to the approval of the Bankruptcy Court, as follows:

1. The foregoing preamble is incorporated herein by reference as if set forth in its entirety.
2. PHEPLE shall receive a one-time lump sum payment of \$1,368.00, representing \$152.00 per month over nine (9) months, which reflect the payments Debtors failed to make to PHEPLE through the Plan from November 14, 2022 to July 2023. Said funds shall be paid by Debtors in Certified Funds payable to “Pheple Federal Credit Union” and delivered to Covelli & Piscione Law Offices, 357 Regis Avenue, Pittsburgh, PA 15236 on or before July 10, 2023 at 4:30 p.m. Said funds will be applied to the balance of the account under Claim 9.

3. PHEPLE and Debtors acknowledge that any balance due to PHEPLE after the discharge or dismissal of the above captioned case shall remain due and owing by Debtors. No amount of Claim 9 shall be held dischargeable nor should the lien be removed without full payment by Debtors.

4. Debtors agree to pay the remaining account balance owed, under Claim 9, to PHEPLE by monthly installments of \$250.00, beginning August 15, 2023, and continuing until paid in full. PHEPLE shall provide Debtors monthly statements listing the amount due. Payments shall be due by the 15th of the month.

5. If the Debtors fail to make the lump sum payment, or any payments by the 25th of the month, PHEPLE shall be authorized to obtain relief from the automatic stay while the matter is pending in the Court and call the loan and repossess the 2012 Harley Davidson Motorcycle.

6. This Second Stipulation and Consent Order shall survive the dismissal of the above captioned case.

[SIGNATURES OF THE COURT, DEBTORS, COUNSEL FOR PHEPLE FEDERAL CREDIT UNION, AND COUNSEL FOR THE CHAPTER 13 TRUSTEE APPEAR ON THE FOLLOWING PAGE]

STIPULATED AND AGREED TO THIS 10TH DAY OF JULY, 2023 BY:

By: /s/ Corey J. Sacca
Corey J. Sacca, Esquire
PA I.D. No. 306741
20 N. Pennsylvania Avenue, Suite 201
Greensburg, PA 15601
Telephone: 724-832-2499
Facsimile: 724-836-0370
Email: csacca@bononilaw.com


Attorney for DEBTORS

By: /s/ Natalie Piscione
Natalie Piscione, Esquire
Covelli & Piscione Law Offices, P.C.
PA I.D. No. 314365
357 Regis Avenue #1
Pittsburgh, PA 15236
412-653-5000
Email: covellilawoffices@yahoo.com

Attorney for PHEPLE FEDERAL
CREDIT UNION

SO ORDERED this 10th Day of July, 2023

BY THE COURT:



Gregory L. Taddonio, Judge
United States Bankruptcy Court

In re:
David Wadsworth
Karen L Wadsworth
Debtors

Case No. 17-24220-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 10, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 12, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ David Wadsworth, Karen L Wadsworth, 309 Baltimore Street, Belle Vernon, PA 15012-1562

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 12, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 10, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor VW Credit Inc. bnicholas@kmlawgroup.com
Corey J. Sacca	on behalf of Joint Debtor Karen L Wadsworth csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@filing.docketbird.com
Corey J. Sacca	on behalf of Debtor David Wadsworth csacca@bononilaw.com coreysacca@gmail.com;bankruptcy@bononilaw.com;bononiecmail@gmail.com;r39887@notify.bestcase.com;3230706420@filing.docketbird.com
Kevin Scott Frankel	on behalf of Creditor Carrington Mortgage Services LLC, et al. pabk@logs.com, logsecf@logs.com
Kristen D. Little	

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Jul 10, 2023

Form ID: pdf900

Total Noticed: 1

on behalf of Creditor Carrington Mortgage Services LLC, et al. kdlittleecf@gmail.com

Kristen D. Little

on behalf of Creditor BANK OF AMERICA N.A. kdlittleecf@gmail.com

Natalie Norina Piscione

on behalf of Creditor Westmoreland Community Federal Credit Union covellilawoffices@yahoo.com ndantonio@covellilaw.com

Office of the United States Trustee

ustpreion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ccfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 10